



Federal Communications Commission  
Washington, D.C. 20554

MAY 20 1996

The Honorable Barbara Boxer  
United States Senator  
1700 Montgomery Street, Suite 240  
San Francisco, California 94111

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Dear Senator Boxer:

Thank you for the letter of May 3, 1996, from your Deputy Chief of Staff, Beatriz Rivas Rogalski, on behalf of your constituent, David Bessey, regarding the Commission's decision to freeze acceptance of paging applications. Mr. Bessey expresses concern that his paging application has not been granted because of the implementation of the freeze.

The Commission is currently conducting a rulemaking proceeding that proposes to transition from licensing paging frequencies on a transmitter-by-transmitter basis to a geographic licensing approach, using auctions to award licenses where there are mutually exclusive applications. In conjunction with that proceeding, the Commission initially froze processing of applications for paging frequencies. On April 23, 1996, the Commission released a First Report and Order in WT Docket 96-18 and PP Docket 93-253, which adopted interim measures governing the licensing of paging systems and partially lifted the interim freeze for incumbent paging licensees. For your convenience and information, enclosed is a copy of the Press Release concerning the First Report and Order, which includes a summary of the principal decisions made. Specifically, small and medium sized incumbent paging companies will be permitted to expand their service areas if the proposed new site is within 65 kilometers (40 miles) of an authorized and operating site. These interim rules will remain in effect until the Commission adopts final rules in the paging proceeding.

Thank you for your inquiry.

Sincerely,

A handwritten signature in cursive script, reading "David L. Furth", is written over a horizontal line.

David L. Furth  
Chief, Commercial Wireless Division  
Wireless Telecommunications Bureau

Enclosure

BARBARA BOXER  
CALIFORNIA

COMMITTEE ON ENVIRONMENT  
AND PUBLIC WORKS

COMMITTEE ON BANKING,  
HOUSING, AND URBAN AFFAIRS

COMMITTEE ON THE BUDGET

## United States Senate

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May 3, 1996

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*PKB  
PR-paging  
2359*

Ms. Regina Keeney  
Chief of Wireless-Telecommunications Bureau  
Federal Communications Commission  
1919 M Street, NW  
Room 5002  
Washington, DC 20054

Dear Ms. Keeney:

Enclosed please find a copy of the correspondence Senator Boxer received from David Bessey, regarding the status of his applications for two 931 pager licenses.

Senator Boxer is forwarding the attached for your review and consideration. Any information you can provide in response to the concerns expressed by Mr. Bessey will be most appreciated.

Thank you for your assistance in this matter. Please respond to Senator Boxer's San Francisco office, Attention: Zenaida Aguilera. If you have any questions regarding this matter, please feel free to contact me at (415) 403-0100.

Sincerely,

*Beatriz Rivas Rogalski*  
Beatriz Rivas Rogalski  
Deputy Chief of Staff

BRR/zra  
Enclosure  
cc: David Bessey

April 8, 1996

David J. Bessey  
11699 Malden St.  
Cypress, CA. 90630

Dear Senator Boxer,

I have attempted to obtain two 931 pager license's, I began this in October of 1995. Since retiring from AT&T, I felt that these FCC license's would be a source of income for my family and myself.

I paid a fee of about fourteen thousand dollars, for the two license's. These fees covered studies of sites, complete with the engineering studies required by the FCC and the proper filing of the application by Mr. John Pelligrin, attorney DC.

Due to FCC proposed rule changes, it appears that my license's is in jeopardy. My attorney John Pelligrin has attempted to reconcile this with the FCC.

I'm requesting your assistance in obtaining two 931 MHz license's which I have applied for.

Sincerely  
David Bessey

P.S. Papers filed by attorney Pelligrin have